

EDUCATION DEPARTMENT[281]

Adopted and Filed

Rule making related to online learning

The State Board of Education hereby amends Chapter 15, “Use of Online Learning and Telecommunications for Instruction by Schools,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 256.7.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 256.42 as amended by 2018 Iowa Acts, Senate File 2131.

Purpose and Summary

These amendments allow distance education to be provided to students receiving independent private instruction, competent private instruction, or private instruction under Iowa Code chapter 299A; provide a fee structure for school districts; and address fiscal matters borne by the Department.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on June 6, 2018, as **ARC 3823C**. A public hearing was held on June 26, 2018, at 10 a.m. in the State Board Room, Second Floor, Grimes State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the State Board on August 2, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on October 3, 2018.

The following rule-making actions are adopted:

ITEM 1. Amend rule 281—15.10(256) as follows:

281—15.10(256) Appropriate applications of ILO coursework. ILO courses are intended to help Iowa school districts expand learning opportunities by providing opportunities for individual students to take one or more courses offered “at a distance” using technologies such as the Internet and interactive videoconferencing. Participating school districts and accredited nonpublic schools may also enroll students in ILO courses if online learning is more suited to a specific student’s circumstances. ILO may also provide distance education to a student receiving independent private instruction as defined in Iowa Code section 299A.1(2) “b,” competent private instruction under Iowa Code section 299A.2, or private instruction by a nonlicensed person under Iowa Code section 299A.3.

ITEM 2. Amend rule 281—15.12(256) as follows:

281—15.12(256) School and school district responsibilities. Each participating school district and accredited nonpublic school shall submit its online curricula, excluding coursework provided by ILO, to the department for review. Each participating school district and accredited nonpublic school shall include in its comprehensive school improvement plan submitted pursuant to Iowa Code section ~~256.7, subsection 21,~~ 256.7(21) a list and description of the online coursework offered by the school or school district, excluding coursework provided by ILO. Each participating school district and accredited nonpublic school is responsible for recording grades received for ILO coursework in a student’s permanent record and for awarding graduation credit for ILO coursework. Each participating school district and accredited nonpublic school shall identify a site coordinator to serve as a student advocate and as a liaison between the initiative staff and teachers and the school district or accredited nonpublic school. Each participating school district and school shall pay the fees prescribed by subrule 15.13(2).

ITEM 3. Amend rule 281—15.13(256) as follows:

281—15.13(256) Department responsibilities.

15.13(1) Course quality. The department shall annually evaluate the quality of courses offered under ILO to ensure that coursework is rigorous and of high quality and is aligned with Iowa’s core curriculum and core content requirements and standards as well as with national standards of quality for online courses issued by an internationally recognized association for elementary and secondary online learning. The department shall ensure that all ILO coursework is taught by a teacher who is appropriately licensed and endorsed for the educational level and content area being taught and who has completed an online-learning-for-Iowa-educators professional development course offered by an area education agency, a teacher preservice program, or comparable coursework.

15.13(2) Fiscal matters. The department shall establish fees payable by school districts, accredited nonpublic schools, and individuals providing instruction to students under Iowa Code chapter 299A as described in rule 281—15.10(256), for ILO coursework. Fees collected pursuant to this subrule are appropriated to the department to be used only for the purpose of administering ILO and shall be established so as not to exceed the cost of administering ILO. Providing professional development necessary to prepare teachers to participate in the initiative shall be considered a cost of ILO administration. Notwithstanding Iowa Code section 8.33, fees collected by the department that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purpose of expanding ILO coursework offered in subsequent fiscal years.

ITEM 4. Rescind rule 281—15.14(256) and adopt the following **new** rule in lieu thereof:

281—15.14(256) Responsibilities of individuals providing private instruction under Iowa Code chapter 299A. The individual providing instruction to a student under rule 281—15.10(256) shall pay

the fees prescribed by subrule 15.13(2). The individual providing instruction to a student under rule 281—15.10(256) shall receive the student's score for completed ILO coursework.

ITEM 5. Adopt the following new rule 281—15.15(256):

281—15.15(256) Enrollment in an ILO course. Under ILO, a student must be enrolled in a participating school district or accredited nonpublic school or be receiving private instruction under Iowa Code chapter 299A as described in rule 281—15.10(256).

[Filed 8/2/18, effective 10/3/18]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/29/18.